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9 *Attorneys for Plaintiffs*

10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**

12  
13 MASOUMEH MOTEVALLI  
14 ALAMOUTI, individually and as  
15 successor-in-interest to Masoud Rahmati,  
deceased; and MOSHEN RAHMATI,  
16 individually,

17 Plaintiffs,

18 v.  
19 COUNTY OF LOS ANGELES; and  
20 DOES 1 through 10, inclusive,

21 Defendants.  
22  
23  
24

Case No. 2:24-cv-05560-MWC-JC

*Hon. Michelle Williams Court  
Hon. Mag. Judge Jacqueline Chooljian*

**PLAINTIFFS' RESPONSE TO  
ORDER TO SHOW CAUSE RE  
DISMISSAL FOR LACK OF  
PROSECUTION AS TO  
INDIVIDUAL DEFENDANTS**

1 **TO THIS HONORABLE COURT:**

2 Plaintiffs, by and through their counsel, submit the following response to the  
3 Court's Order to Show Cause re Dismissal For Lack of Prosecution as to Yvonne  
4 Pullen; Ryan Garcia; Briseida Nochez; Rene Aguilar Ornelas; Joel Leyva; Andrew  
5 Wise; Jason Gonzalez; Bart Marshall; Michael Maybee; Oluwasanmi Ogunjumo,  
6 dated May 2, 2025. [Dkt. 33.]

7 Plaintiffs' initial complaint in this action was filed on July 1, 2024, and named  
8 the County of Los Angeles and Does 1-10 as defendants [Dkt. 1], the identities of the  
9 individuals who were believed to have liability being then unknown to Plaintiffs. On  
10 April 10, 2025, Plaintiffs filed a First Amended Complaint, which for the first time  
11 named the ten above-named individuals as defendants. [Dkt. 30.] Plaintiffs' counsel  
12 has since been working cooperatively with counsel for Defendant County of Los  
13 Angeles to arrange and effectuate service of the individual defendants.

14 It is counsel's understanding that the 90-day limit for service imposed by  
15 Federal Rule of Civil Procedure 4(m) began to run from the April 10, 2025, filing of  
16 the First Amended Complaint as to the newly named individual defendants, such that  
17 Plaintiffs are still within the time limit for service of these defendants. *See Estate of*  
18 *Touloudjian v. Cal. Dept. of Corrs. & Rehab.*, 2:20-cv-00520-FLA (KSx), 2021 WL  
19 4812318, at \*1 (C.D. Cal. Aug. 2, 2021) ("The service period as to a defendant begins  
20 to run when the defendant is first named in a complaint.") (first citing *McGuckin v.*  
21 *United States*, 918 F.2d 811, 813 (9th Cir. 1990), then citing *Bolden v. City of Topeka*,  
22 441 F.3d 1129, 1148 (10th Cir. 2006)).

23 Because service of the individual defendants is still being arranged, Plaintiffs  
24 do not understand these defendants' Answers to be due yet [see Dkt. 32], so Plaintiffs  
25 are not seeking entry of default as to these defendants at this time.

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1 Respectfully submitted,

2 DATED: May 8, 2025

3 **LAW OFFICES OF DALE K. GALIPO**

4 By: /s/ Benjamin S. Levine  
5 Dale K. Galipo  
6 Benjamin S. Levine  
7 *Attorneys for Plaintiffs*

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